



nebraska Farm Bureau Federation

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July 6, 2005

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Regulatory Analysis and Development
PPD, APHIS, Station 3C71
4700 River Road Unit 118
Riverdale, MD 20737-1238

Re: Docket No. 05-015-1

On behalf of the Nebraska Farm Bureau Federation (NFBF), I want to offer these comments on the Draft Strategic Plan and Draft Program Standards documents for the National Animal Identification System (NAIS) issued by the USDA on May 6, 2005.

In general, NFBF strongly supports the establishment and implementation of a national animal identification system capable of providing support for animal disease control and eradication, as well as enhancing food safety. Recent cases of BSE in North America and the continued threat of the potential for an outbreak of foot and mouth disease provides strong reasons to quickly move to a uniform system of identifying and tracking livestock in the United States.

While livestock producers have used many types of identification methods for various animal disease reasons and for production purposes, the concept of moving towards a uniform animal identification system has certainly gained a greater urgency among our members because of the importance of animal disease control and enhancing our competitiveness.

Having a system that can identify and trace back an animal within 48 hours is a laudable goal and it must be met by the industry with the support of the public sector. In order to meet this goal, there needs to be adequate cost share among government, industry and producers, each having an advisory role in administering the program. We strongly encourage USDA to continue working closely with the livestock industry to ensure that producer perspectives guide the implementation of an animal identification system.

As part of the USDA Draft Strategic Plan, it posed several questions on many issues concerning the implementation of the program. The following is our responses to those questions based on our member-adopted policy and additional input we received from producers during the last two months. Some issues may require more discussions with our members in order to formalize our policies on some specific issues.

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1. *Is a mandatory identification program necessary to achieve a successful animal disease surveillance, monitoring and response system to support federal animal health programs?*

Currently, NFBF supports a national animal identification program that is thorough and effective in order to identify and trace an animal within 48 hours. In order to meet that goal, we believe the system must ultimately become mandatory whether it is the market or the government that forces the mandate. However, we strongly believe that a system should not become mandatory until legislation is passed that will protect the confidentiality of data submitted by producers and protect producers from unwarranted liability. Until these critical issues are resolved, we will continue to support a voluntary system and continue to encourage our members to embrace an identification system.

2. *At what point and how should compliance be ensured? For example, should market managers, fair managers, etc., be responsible for ensuring compliance with this requirement before animals are unloaded at their facility or event? Please give the reasons for your response.*

In regard to compliance, we believe animal identification should not be required prior to the movement of an animal from its original premises. When the animal is placed in commerce or moved to a premise different than its origin, the operator of the premises of origin should be responsible for ensuring proper identification or ensuring that proper identification would be applied prior to completing the animal movement. We believe that the marketplace will ultimately drive the responsibility of compliance and in the situation of market managers or fair managers, an identification service for a fee may be necessary but the producer would ultimately be responsible for identification and the entity receiving the animal should be responsible for reporting the movement.

3. *Can markets or other locations successfully provide a tagging service to producers who are unable to tag their cattle at their farms?*

Again, we expect the marketplace to make the necessary adjustments and foresee the fact that markets receiving livestock would provide an identification service for a fee if the demand is there. For example, there will likely be many smaller cattle producers in Nebraska who may not have the facilities to provide a tag or an acceptable applicable identification method. We fully expect, that the local sale barn will understand their market and provide the fee-based service for these smaller producers.

4. *In what manner should compliance with the identification and movement reporting requirements be achieved? Who should be responsible for meeting these requirements? How can these types of transactions be inputted into the NAIS to obtain the necessary information in the least costly, most efficient manner?*

We think the best approach to this issue is for the seller from the original premise be the party responsible for identification requirements and the buyer receiving the animal should be responsible for movement reporting requirements. Overall, electronic transfer of information is the least costly and most efficient. From a cattle producer perspective, it is clear to us that electronic ear tag or radio frequency implants (RFID) will be the direction the industry moves because of the convenience, accuracy, efficiency of transferring the data between buyers and sellers. Accommodations or alternatives should be made for producers who do not have access to web-based electronic reporting, particularly in those cases when a producer sells to another producer.

5. *Is the recommendation that animals be identified prior to entering commerce or being commingled with animals from other premises adequate to achieve timely traceback capabilities to support animal health programs or should a timeframe (age limit) for identifying the animals be considered?*

We believe the recommendation that animals be identified prior to entering commerce or being commingled with animals from other premises is adequate to achieve timely traceback capabilities to support animal health programs.

6. *Are the timelines for implementing the NAIS, as discussed in the Draft Strategic Plan, realistic, too aggressive (i.e., allow too little time), or not aggressive enough (i.e., do not ensure that the NAIS will be implemented in a timely manner)?*

We believe the timeframe laid out in the Draft Strategic Plan is not aggressive enough. Given the fact that we just recently had a second confirmed case of BSE in the U.S. and the fact that our competitors either have an identification system in place or will soon have one in place, it is imperative that the USDA, in partnership with the industry, move forward at a more rapid pace. It is likely that the marketplace will move forward in encouraging voluntary animal identification in a shorter timeframe. Nevertheless, we believe it is crucial for the long-term viability of the livestock industry that USDA's National Animal Identification System move forward at a pace equal or close to private identification systems. A disease outbreak or potential problems in the development of future export markets greatly enhances the urgency of creating an animal identification system and also enhances the urgency of Congress acting on legislation dealing with confidentiality and liability.

7. *Should requirements for all species be implemented within the same timelines, or should some flexibility be allowed?*

Ideally, requirements for all species should be implemented on the same timeline. However, in light of the public attention to BSE and the unique challenges in identifying each animal from a managerial and production standpoint, we believe that cattle and dairy should be the species that is prioritized. Given the cattle industry impact on our economy and the sheer number of cattle

and calves in the U.S., we think that under limited resources it would make sense to target that species.

8. *What are the most cost-effective and efficient ways for submitting information to the database (entered via the Internet, file transfer from a herd-management computer system, mail, phone, third-party submission of data)? Does the type of entity (e.g., producer, market, slaughterhouse), the size of the entity, or other factors make some methods for information submission more or less practical, costly, or efficient?*

Once again, we believe that the most efficient and cost effective method for most operations for submitting database information is electronic. However, we want to reiterate the fact that smaller, more limited resource entities may have difficulties with the electronic reporting requirements due to a lack of access to web-based technology. Therefore, accommodations will need to be made for these producers.

9. *Given the information identified in the draft documents, what specific information do you believe should be protected from disclosure and why?*

While we do not have any specific comments on this question, we believe that it should be emphasized that any animal identification information collected must be protected because it represents proprietary information.

10. *How could we best minimize the burden associated with providing information and maintaining records? For example, should both the seller and the buyer of a specific group of animals report the movement of the animals, or is reporting by one party adequate?*

In order to minimize the burdens of providing information and maintaining records, we believe that requiring reporting by only one party is adequate. The buyer of the animal should be responsible for compliance with reporting movement requirements.

APHIS is also requesting comment regarding a privately managed database for holding animal location and movement information, and asks for public feedback on the following issues:

1. *How should a private database system be funded?*

There is little doubt that costs associated with operating and maintaining a managed database will be significant. The idea of a privately managed database does have some appeal, particularly if there are legislative or legal problems related to the confidentiality of the data held.

2. *Should the NAIS allow for multiple privately managed databases?*

We believe that the NAIS should allow multiple privately-managed databases to submit the required animal health-tracking information. Obviously, several other private marketing databases will continue to grow in number because of the market forces demanding more traceability and because of producers wanting to capture the potential premiums associated with traceability. The key to allowing multiple databases will be the education and partnerships developed between the USDA and these private entities to assure that the necessary data collected from these private databases can integrate into the government system that is solely based on the intent of animal disease surveillance and control.

3. *Should a public (government) system be made available as well as a privately managed system so that producers have a choice?*

At this point, we do not have a specific policy on this issue. From a general standpoint, it will be important to clarify the confidentiality concerns we have before we can make a more specific recommendation on this issue.

4. *Should a privately managed system include all species?*

If a privately managed database were chosen rather than the government to hold animal location and movement information, we think it should include all species. We believe that uniformity throughout the livestock sector is critical to achieve the stated goal of 48-hour full traceability.

5. *Would either system work equally well at the state level? Please explain why or why not. When and under what circumstances should the program transition from voluntary to mandatory?*

We continue to believe that the collection of data at the state level and how it integrates into the federal system will be critical to the success of an overall national system to identify animals and to keep track of their movement. We do, however, believe that it would be problematic and costly to have privately managed systems both nationally and at the state level not only because of the geographical challenges, but also because many states public agencies are well underway with their efforts to begin a premise registration system. We do support a voluntary animal identification program at all levels until the issues of confidentiality and liability are adequately addressed.

Thank you for the opportunity to submit these comments for your consideration.

Sincerely,



Keith R. Olsen
President